

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

UNITED STATES OF AMERICA)	
)	
v.)	No. 1:21-cr-41-JL
)	
NOBODY)	
_____)	

AMENDED PRELIMINARY ORDER OF FORFEITURE

1. The defendant, Nobody, pleaded guilty to Count Sixteen of an Indictment that charges him with wire fraud, in violation of 18 U.S.C. § 1343. DN 136.

2. The Indictment contained a Notice of Forfeiture, which stated that, upon conviction, the defendant shall forfeit any property constituting, or derived from, any proceeds obtained, directly or indirectly, as the result of such offenses, and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, the charged offenses.

The Notice further stated that pursuant to 21 U.S.C. § 853(p), the United States of America shall be entitled to forfeiture of substitute property if any of the property described above, as a result of any act or omission of the defendants: (a) cannot be located upon the exercise of due diligence; (b) has been transferred or sold to, or deposited with, a third party; (c) has been placed beyond the jurisdiction of the court; (d) has been substantially diminished in value; or (e) has been commingled with other property which cannot be divided without difficulty. *Id.*

3. On May 18, 2021, the United States filed a Bill of Particulars, listing specific properties that were subject to forfeiture. DN 66.

4. On July 28, 2022, this Court issued a Preliminary Order of Forfeiture, forfeiting to the United States all of the defendant's interest in: (21-FBI-005592) Misc. Goldbacks and (21-FBI-

005554) 143 silver coins and one 10-oz silver bar. DN 173.

5. In addition to the specific assets identified in the Preliminary Order of Forfeiture, Nobody agreed to a personal money judgment in the amount of \$10,000.00. Nobody further acknowledged that one or more of the conditions set forth in 21 U.S.C. § 853(p) exists; and that the United States is therefore entitled to forfeit substitute assets to satisfy the money judgment. DN 186.

NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that all of the defendant's right, title and interest, if any, in: (21-FBI-005592) Misc. Goldbacks and (21-FBI-005554) 143 silver coins and one 10-oz silver bar, is hereby condemned, forfeited and vested to the United States of America, pursuant to 18 U.S.C. § 982(a)(2), free from the claims and interests of any other person or entity.

The Federal Bureau of Investigation, or any appropriate federal law enforcement agency, shall seize and maintain custody of the forfeited property until further order of the Court.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the defendant shall forfeit to the United States a personal money judgment in the amount of \$10,000.00.

IT IS FURTHER ORDERED that the United States may, at any time, move pursuant to Fed. R. Crim. P. 32.2(e) to amend this Order of Forfeiture to include substitute property having a value not to exceed \$10,000.00 to satisfy the money judgment in whole or in part.

In accordance with 21 U.S.C. § 853(m) and Fed. R. Crim. P. 32.2(b)(2), the United States is authorized to undertake whatever discovery may be necessary to identify, locate or dispose of substitute assets to satisfy the money judgment.

Pursuant to Fed. R. Crim. P. 32.2(b)(3), this Order of Forfeiture shall become final as to the defendant at the time of his sentencing, and shall be made part of the sentence and included in the judgment.

The Court shall retain jurisdiction to enforce this Order, and to amend it as necessary, pursuant to the provisions of Fed. R. Crim. P. 32.2(e).

The Clerk shall send copies of this Amended Preliminary Order of Forfeiture to counsel for all parties, and shall send a certified copy of this Amended Preliminary Order of Forfeiture to the United States Attorney's Office, Attention: Assistant U.S. Attorney Georgiana L. MacDonald.

Entered this _____ day of _____, 2022.

UNITED STATES DISTRICT JUDGE